



KNOX 024C2

CUSTOMER NO.: 20995

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321

Applicant : Trempala
Appl. No. : 10/789,630
Filed : February 27, 2004
For : LOCKING CAP SYSTEM
Examiner : Barrett, Suzanne Lale Dino
Group Art Unit : 3676

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 23, 2004

(Date)

Robert J. Roby, Reg. No. 44,304

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Empowerment of Attorney

Pursuant to 37 C.F.R. § 1.321(b) the undersigned attorney of record is empowered to act on behalf of the Assignee, The Knox Company ("Assignee"), by virtue of a Power of Attorney executed on June 4, 1999, a copy of which is attached.

Right of Assignee and Ownership

In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of a one-hundred percent interest in the above-identified application and co-owned, co-pending, U.S. Patent Nos. 6,487,882 and 6,698,261, all by virtue of an assignment recorded at Reel No. 010031, Frame No. 0873 by the Assignment Branch of the Patent and Trademark Office. The Assignee represents that, to the best of Assignee's knowledge and belief, title is in the Assignee seeking to take action.

Disclaimer by Assignee

Assignee hereby disclaims, except as provided below, the terminal part of the above-referenced patents that would extend beyond the expiration date of the full statutory term of either U.S. Patent Nos. 6,487,882 and 6,698,261, and hereby agrees that any patent so granted on the

Appl. No. : 10/789,630
Filed : February 27, 2004

above-identified application shall be enforceable only for and during such period that the instant application and the above-referenced patents are co-owned. This agreement extends to any patent granted on the above-identified application and shall be binding on its successors or assigns.

Assignee does not disclaim any terminal part of either of the above-referenced patents prior to the earlier of the expiration date of the full statutory term of either of the patents and that of any patent issuing on the above-identified application in the event that either one later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

This Terminal Disclaimer is accompanied by the \$55 fee set forth in 37 C.F.R. § 1.20(d).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 9.23.2004

By


Robert J. Roby

Registration No. 44,304

Attorney of Record

Customer No. 20,995

(949) 760-0404

H:\DOCS\MTH\MTH-2244.DOC
092104